

By: Lindsay

S.B. No. 1728

A BILL TO BE ENTITLED

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AN ACT

relating to the creation of a task force to recommend state school closures and to the use of proceeds from the sale of any state school property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) The facilities review task force is composed of:

(1) two members appointed by the commissioner of mental health and mental retardation;

(2) two members appointed by the commissioner of health and human services; and

(3) three members appointed by the governor, one of whom must be a parent or guardian of an individual living in a state school.

(b) The facilities review task force shall review the use of state schools and recommend two state schools for closure.

(c) Not later than December 31, 2004, the facilities review task force shall submit to the Texas Board of Mental Health and Mental Retardation and the governor a written report of the recommendation required by Subsection (b) of this section.

(d) If the Texas Board of Mental Health and Mental Retardation and the governor approve the closures recommended in the report, the Texas Department of Mental Health and Mental Retardation shall sell the facilities and related property of the

1 state schools approved for closure not later than December 31,
2 2005. Proceeds from the sale shall be deposited in the community
3 services trust fund for persons with mental retardation.

4 (e) The Texas Board of Mental Health and Mental Retardation
5 and the governor may not approve the sale of the recommended state
6 schools until the Texas Department of Mental Health and Mental
7 Retardation demonstrates that each of the individuals presently
8 residing in those facilities will be given care in either another
9 state school or, with the approval of the resident or the resident's
10 parent or guardian, in a community-based program.

11 SECTION 2. Subchapter D, Chapter 533, Health and Safety
12 Code, is amended by adding Section 533.088 to read as follows:

13 Sec. 533.088. COMMUNITY SERVICES TRUST FUND FOR PERSONS
14 WITH MENTAL RETARDATION. The community services trust fund for
15 persons with mental retardation is a separate account in the
16 general revenue fund. Money from the sale of state school
17 facilities and related property shall be deposited to the credit of
18 the account. Money in the account may be used only for the funding
19 of community-based programs for persons with mental retardation.

20 SECTION 3. Section 1 of this Act expires and the facilities
21 review task force is abolished February 1, 2006.

22 SECTION 4. This Act takes effect September 1, 2003.